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EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY

*Department of Criminal Justice Information Services*

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## **MODEL POLICY FOR LAW ENFORCEMENT AGENCIES - AUTOMATIC LICENSE PLATE RECOGNITION (ALPR) SYSTEMS**

*Polymakers are encouraged to customize this document for their agency giving consideration to personnel assignments, resources, infrastructure, and community served.*

### **I. PURPOSE**

The purpose of this Policy is to establish guidelines and procedures for the proper use and application of automatic license plate recognition (ALPR) systems, the management of the data, and the maintenance of the equipment.

### **II. POLICY**

The availability and use of ALPR systems have provided many opportunities for the enhancement of law enforcement agencies' productivity, effectiveness, and protection of public and officer safety. It is the policy of this Department to only utilize the technology in furtherance of official and legitimate law enforcement operations and public safety. All members of this Department are expected to abide by the guidelines set forth herein when using ALPR systems.

### **III. ACRONYMS AND DEFINITIONS**

*Alert:* A visual and/or auditory notice that is triggered when the ALPR system receives a potential hit on a license plate.

*Alert data:* Information captured by an ALPR relating to a license plate that matches the license plate on a hot list.

*ALPR:* Automatic License Plate Recognition. Automatic license plate recognition technology uses high-speed cameras combined with sophisticated computer algorithms capable of converting the images of license plates to electronically readable data. The ALPR system captures an image of a license plate and converts it to a text file using Optical Character Recognition (OCR) technology. The technology also compares the digital images of license plates to the CJIS-NCIC Hot file database.





*ALPR data:* Scan files, alert data, and any other documents or data generated by, or obtained thorough, utilization of the ALPR system.

*ALPR Data Query Logs:* A record of a search or query of ALPR data.

*ALPR system:* The ALPR camera and all associated equipment and databases.

*Department:* Town/City Police Department.

*Fixed ALPR system:* ALPR cameras that are permanently affixed to a structure, such as a pole, a traffic barrier, or a bridge.

*GPS:* Global positioning system.

*Hit:* An alert that a license plate matches a record maintained in the ALPR database related to stolen vehicles, wanted vehicles, or other alert type files that support investigation or which have been manually registered by a user for further investigation.

*Hot list:* License plate numbers of vehicles of interest, such as stolen vehicles, unregistered vehicles, vehicles owned by persons of interest, and vehicles associated with AMBER Alerts, Missing Child Alerts, Missing College Student Bulletins, Be On Look Out (BOLO), Attempt To Locate (ATL), and Wanted or Missing Person broadcasts or bulletins in which a license plate number is included, or other license plate numbers of interest entered by the Department or an authorized officer.

*Hot list download:* The method by which the hot list data is transferred to a computer within a law enforcement vehicle.

*Mobile ALPR system:* ALPR cameras that are affixed, either permanently (hardwired) or temporarily (e.g., magnet-mounted), to a law enforcement vehicle for mobile deployment.

*OCR:* Optical Character Recognition. The technology that supports the automated reading and digitizing of images of license plates that are captured by the ALPR system.

*Portable ALPR system:* ALPR cameras that are transportable and can be moved and deployed in a variety of venues as needed, such as a traffic barrel or speed radar sign.

## IV. PROCEDURES

### A. General

ALPR systems and associated equipment and databases are the property of this Department and authorized for official use only. Misuse of this equipment and associated databases or data may be subject to sanctions and/or disciplinary actions, as determined by the rules and regulations of the Department.

### B. Administration

1. The Department shall designate an employee(s) in a command position with administrative oversight as the ALPR Administrator for the ALPR system deployment, operations, and maintenance. The ALPR Administrator or a designee shall be responsible for the following:

- (a) Establishing protocols for access, collection, storage, and retention of ALPR data and associated media files;
- (b) Establishing protocols to preserve and document ALPR reads and “alerts” or “hits” that are acted on in the field or associated with investigations or prosecutions;
- (c) Establishing protocols to establish and ensure the security and integrity of data captured, stored, and/or retained by the ALPR system;
- (d) Ensuring the proper selection of the personnel approved to operate the ALPR system and maintaining an adequate number of trained and authorized users;
- (e) Maintaining records identifying approved ALPR deployments and documenting their results, including appropriate documentation of significant incidents and arrests that are related to ALPR usage;
- (f) Authorizing any requests for ALPR systems use or data access according to the policies and guidelines of this agency;
- (g) Managing and securing the data, including requests for searches of the ALPR data, hot lists, and backing up the ALPR data; and
- (h) Ensuring that designated, trained personnel check equipment on a regular basis to ensure functionality and camera alignment and removing from service any equipment that falls outside expected functionality until deficiencies have been corrected.

2. ALPR systems repairs (hardware or software) shall be made by Department-authorized sources.

### C. Automatic License Plate Recognition System Usage

1. ALPR systems and information shall be accessed and used only for official and legitimate law enforcement operations and public safety related purposes, and may only be used based on specific and articulable facts of a concern for safety, wrongdoing, criminal investigations, Department-related civil investigations, or pursuant to a court order.
2. Searches of historical ALPR data shall be done in accordance with established departmental policies and procedures.
3. Only users who have been designated by the ALPR Administrator and properly trained in the use and operational protocols of the ALPR system shall be permitted to use the system. Only those users with an approved login and password will be allowed access to the ALPR system.
4. The agency's ALPR Administrator shall ensure that any changes in hardware, software, policy, or law are the subject of continuing in-service training or bulletins.
5. The use of ALPR technology must be approved by the agency head or designee.
6. When an enforcement action, investigation, or prosecution results from an ALPR hit, the hit will be preserved.
7. ALPR hot lists and data gathered by departmental ALPRs will be maintained securely.
8. Requests for searches of ALPR data to the ALPR Administrator may be made by members of this Department or by other law enforcement agencies subject to the provisions of this Policy.

### D. Operational Procedures

1. At the start of each shift, users shall ensure that the ALPR system has been updated with the most current hot lists available.
2. At the beginning of each tour of duty, users should verify the aim of the ALPR camera(s) to ensure it is focused on the correct lanes of traffic.
3. ALPR equipment should be cleaned and maintained according to the manufacturer's recommendations.
4. Any damage to ALPR systems will be reported immediately according to the Department's established policy and procedures related to the loss of, or damage to, the Department's equipment.
5. When not in use, ALPR-equipped vehicles should be secured. Users on extended leave should remove the ALPR equipment and secure it within the trunk or other secure location.
6. The user shall notify the ALPR Administrator of any malfunction of the ALPR.

#### E. Manual Entry of Data

1. Users may become aware of additional potential license plate numbers of interest and may request those license plate numbers be entered into the Department hot list. License plates may be entered only when directed or authorized by *[specify command position]* and only for official and legitimate law enforcement or public safety operations.
2. A second party check must be conducted on all manual entries.
3. Manual entries may include, but should not be limited to, an AMBER Alert, Missing Child Alert, Missing College Student Bulletin, Be On Look Out (BOLO), Attempt To Locate (ATL), or Wanted or Missing Person broadcast or bulletin in which a license plate number is included. Such manual entries must be manually updated when the information changes or is no longer current.
4. Whenever a plate is manually entered into the ALPR system, the officer shall document the reason.

#### F. ALPR Alerts/Hits

Prior to initiation of a stop based on a hit or alert:

- (a) Users shall visually verify that the vehicle plate number matches the plate number run by the ALPR system, including both alphanumeric characters of the license plate and the state of issuance.
- (b) Users shall verify the current status of the plate through the Commonwealth's Criminal Justice Information System (CJIS), National Crime Information Center (NCIC), Department's Records Management System (RMS), or other appropriate source of data prior to a stop when circumstances allow or as soon as practicable.

### V. INFORMATION MANAGEMENT

#### A. ALPR Data Query Logs

1. An automated log will be maintained for each transaction that will include the name of the individual accessing the data, along with the date and time of access.
2. Requests to review stored ALPR data and search results will be recorded and maintained in appropriate case files as determined by the rules and regulations of the Department.
3. ALPR Data Query Logs shall be maintained and secured.
4. Audits shall be conducted at the discretion of the Department head.

## B. ALPR Data Sharing and Dissemination

1. ALPR data can be accessed, retrieved, or shared for official and legitimate law enforcement operations or public safety purposes only.
2. Dissemination of ALPR data outside the Department shall be documented in a secondary dissemination log, as determined by the rules and regulations of the Department.
3. Information sharing among law enforcement agencies, other than the DCJIS, should be governed by departmental policies or memoranda of understanding.

## C. Retention

1. Data from ALPRs will be transferred/uploaded to the Department's server at a time to be determined by the ALPR Administrator. Data captured by the ALPR will be purged once the upload to the Department sever is complete.
2. All ALPR data may be stored in the Department's server for a period of one year, except that data may be stored for longer than one year in the following circumstances:
  - (a) Alert data associated with an enforcement action, investigation, or prosecution shall be maintained until a final disposition has been reached in the particular case.
  - (b) Alert data associated with an arrest will be maintained in the criminal case file and retained for the maximum period of time associated with such record.
  - (c) Alert data associated with criminal investigations will be maintained in the criminal case file and retained for the maximum period associated with such record.
  - (d) If it is reasonable to believe that the ALPR data will be used as evidence in a criminal or civil action, the record will be maintained until it is no longer reasonable to believe it will be used as evidence in a criminal or civil action.
  - (e) Whenever otherwise directed by the ALPR Administrator.

## **VI. STATE CENTRAL REPOSITORY**

[For EOPSS Highway Safety Division grantees:]

1. The Department has procured the ALPR systems under a grant program of the Executive Office of Public Safety and Security's Highway Safety Division. As a grantee, the Department has agreed to electronically submit captured ALPR data to the state repository maintained by the Department of Criminal Justice Information Services (DCJIS) at the Commonwealth's Public Safety Data Center. Captured ALPR data will be made available to local, state, and national law enforcement as needed to support official law enforcement operations. Guidelines for submission and retrieval of license plate data for all participating departments are included in the Commonwealth of Massachusetts Global Justice and Public Safety Information Sharing Policy of the DCJIS and the ALPR Central Repository Companion Policy attached to this directive. This Department and its users agree to the terms of these policies.

[For others:]

1. To enhance local and statewide law enforcement efforts, the Department has agreed to electronically submit captured ALPR data to the state repository maintained by the Department of Criminal Justice Information Services (DCJIS) at the Commonwealth's Public Safety Data Center. Captured ALPR data will be made available to local, state, and national law enforcement as needed to support official law enforcement operations. Guidelines for submission and retrieval of license plate data for all participating departments are included in the Commonwealth of Massachusetts Global Justice and Public Safety Information Sharing Policy of the DCJIS and the ALPR Central Repository Companion Policy attached to this Special Order. This Department and its users agree to the terms of these policies.

## **VII. POLICY REVIEW**

1. The ALPR Administrator is responsible for the annual review of this Policy and the policies and procedures contained herein and for making recommendations to the Department head for any necessary amendments. This is a new technology and it may raise both legal and technological issues. As use of the technology progresses, the Department will continue to monitor and assess the appropriateness of this Policy.